

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: ) Examiner: LEE, Jae  
 )  
ONICHTCHOUK, Daria, et al. ) Group Art Unit: 1656  
 )  
Serial No.: 10/551,176 ) Docket No.: 8138-005-US  
 )  
Filed: December 20, 2005 )  
 )  
For: Use of dg931 protein for)  
treating diabetes, obesity )  
and metabolic syndrome )

Request of Correction of Errors on Filing Receipt

Honorable Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
[filed electronically]

Dear Commissioner:

This Request is being submitted for the purpose of correcting an error appearing on the Filing Receipt mailed August 16, 2006. Applicant respectfully requests the following correction to the Filing Receipt:

The Filing Receipt indicates the first named applicant as "Darla Onichtchouk". However, the first named applicant is "Daria Onichtchouk". Each of the Declaration, Information Disclosure Statement, Assignment, and Power of Attorney Documents submitted prior to the mailing of the Filing Receipt, list "Daria Onichtchouk" as the first named applicant. We have enclosed copies of the Assignment Document and the Office's Notice of Recordation of Assignment Document, both of which indicate "Daria

Onichtchouk" as an assignor. Therefore, Applicant requests a correction indicating "Daria Onichtchouk" as the first named applicant.

Applicant notes that the original Filing Receipt from which the enclosed corrected copy was made, has the Attorney Docket Number corrected by hand. This number has been updated via Private PAIR and therefore Applicant respectfully asks the Office to disregard the Attorney Docket Number correction on the enclosed corrected copy.

It is believed that there are no fees due for this request. If this is not the case, please charge any additional fees, or credit any overpayments, to Deposit Account No. 502235. The Office may contact Applicant's representative at (858) 200-0586 for additional clarification.

Respectfully submitted,



David M. Kohn, Esq.  
Reg. No.: 53,150

Date: July 11, 2007

CATALYST LAW GROUP, APC  
9710 Scranton Road, Suite 170  
San Diego, California 92121  
(858) 450-0099  
(858) 450-9834 (Fax)

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL  
FORM

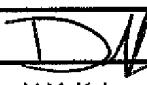
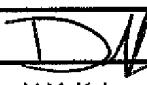
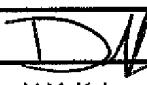
(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/551,176
Filing Date	September 30, 2005
First Named Inventor	ONICHTCHOUK, Daria
Art Unit	TBD
Examiner Name	TBD
Attorney Docket Number	8054-005-US

4

Total Number of Pages in This Submission

ENCLOSURES (Check all that apply)																		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____  <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  Recordation Form Cover Sheet Original Executed Assignment Self-Addressed, Stamped Postcard																
Remarks																		
<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b> <table border="1" style="width: 100%;"> <tr> <td>Firm Name</td> <td colspan="3">Catalyst Law Group, APC</td> </tr> <tr> <td>Signature</td> <td colspan="3"></td> </tr> <tr> <td>Printed name</td> <td colspan="3">David M. Kohn</td> </tr> <tr> <td>Date</td> <td>December 16, 2005</td> <td>Reg. No.</td> <td>53,150</td> </tr> </table>			Firm Name	Catalyst Law Group, APC			Signature				Printed name	David M. Kohn			Date	December 16, 2005	Reg. No.	53,150
Firm Name	Catalyst Law Group, APC																	
Signature																		
Printed name	David M. Kohn																	
Date	December 16, 2005	Reg. No.	53,150															

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Sara Hare	Date	December 16, 2005

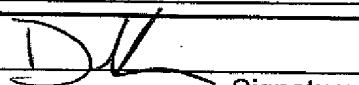
This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Due Date 00  
 1<sup>st</sup> Extension \_\_\_\_\_  
 2<sup>nd</sup> Extension \_\_\_\_\_  
 Final Due Date \_\_\_\_\_  
 Dkt #2 Confirmed WT  
 Atty Confirmed \_\_\_\_\_

RECORDATION FORM COVER SHEET  
**PATENTS ONLY**

To the Director of the U.S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.

<b>1. Name of conveying party(ies)</b> Daria ONICHTCHOUK Tri NGUYEN	<b>2. Name and address of receiving party(ies)</b> Name: <u>DevelopGen Aktiengesellschaft</u> Internal Address: _____
Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>3. Nature of conveyance/Execution Date(s):</b> Execution Date(s) <u>October 25, 2005</u>	Street Address: <u>Rudolf-Wissell-Stre. 28</u>
<input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger	City: <u>Goettingen</u>
<input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name	State: _____
<input type="checkbox"/> Joint Research Agreement	Country: <u>Germany</u> Zip: <u>37079</u>
<input type="checkbox"/> Government Interest Assignment	
<input type="checkbox"/> Executive Order 9424, Confirmatory License	
<input type="checkbox"/> Other _____	Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>4. Application or patent number(s):</b> A. Patent Application No.(s) <u>10/551,176</u>	<input type="checkbox"/> This document is being filed together with a new application. B. Patent No.(s) _____
Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>5. Name and address to whom correspondence concerning document should be mailed:</b> Name: <u>Catalyst Law Group</u> Internal Address: _____	<b>6. Total number of applications and patents involved:</b> <u>1</u>
Street Address: <u>9710 Scranton Road, Suite 170</u>	<b>7. Total fee (37 CFR 1.21(h) &amp; 3.41) \$40.00</b>
City: <u>San Diego</u>	<input type="checkbox"/> Authorized to be charged by credit card
State: <u>California</u> Zip: <u>92121</u>	<input checked="" type="checkbox"/> Authorized to be charged to deposit account
Phone Number: <u>858-450-0099</u>	<input type="checkbox"/> Enclosed
Fax Number: <u>858-450-9834</u>	<input type="checkbox"/> None required (government interest not affecting title)
Email Address: <u>dkohn@catalystlaw.com</u>	
<b>8. Payment Information</b>	
a. Credit Card	Last 4 Numbers _____ Expiration Date _____
b. Deposit Account Number	<u>502235</u>
Authorized User Name <u>David Kohn</u>	
<b>9. Signature:</b> 	Date <u>12/12/05</u>
Signature <u>David Kohn</u> Name of Person Signing	Total number of pages including cover sheet, attachments, and documents: <input type="text" value="3"/>

**ASSIGNMENT**

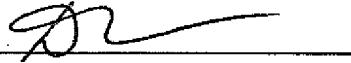
**WHEREAS**, I, Daria Onichtchouk, a citizen of the Russian Federation, and I, Tri Nguyen, a citizen of the United States of America, hereinafter referred to as the "Assignors," are the inventors of a certain invention titled "Use of a DG931 Protein Product for Preventing and Treating Diabetes and/or Obesity and/or Metabolic Syndrome" for which a Patent Cooperation Treaty (PCT) Patent Application was filed on March 31, 2004 and designated Serial Number PCT/EP2004/003417; and a United States national phase Utility Patent Application will be filed on or by September 30, 2005 and designated a Serial number that is yet to be determined; and

**WHEREAS**, DeveloGen Aktiengesellschaft., a German company, whose office is located at Rudolf-Wissell-Str. 28, 37079 Goettingen, Germany, herein referred to as "Assignee," is desirous of acquiring the entire right, title and interest in the same.

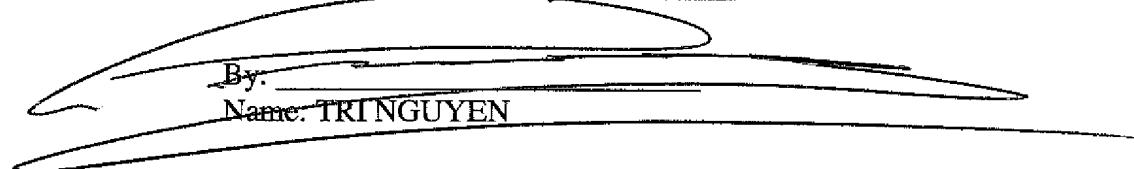
**NOW, THEREFORE**, for valuable consideration, the receipt of which is hereby acknowledged, the Assignors, by these presents do hereby sell, assign, transfer, and set over unto the said Assignee, its successors and assigns, the full and exclusive right, title and interest in and to the said invention and to all Letters Patent to be granted and issued therefore, including, but not limited to, all continuations, continuations in part, continuing prosecution and/or divisional applications, not only for, to and in the United States of America, its territories and possessions, but for, to, and in all other countries including all priority rights under the International Convention and any other applicable laws or

treaties; and we hereby authorize and request the United States Commissioner of Patents and Trademarks to issue any subsequent Letters Patent to said Assignee, its successors and assigns in accordance with this Assignment.

WITNESS my hand at Göttingen,  
GERMANY this 25 day of Oct., 2005.

By:   
Name: DARIA ONICHTHOUK

WITNESS my hand at Göttingen,  
GERMANY this 25 day of Oct., 2005.

By:   
Name: TRI NGUYEN



8654-005-US

**UNITED STATES PATENT AND TRADEMARK OFFICE**

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

MARCH 25, 2006

PTAS



\*103141627A\*

CATALYST LAW GROUP  
9710 SCRANTON ROAD, SUITE 170  
SAN DIEGO, CA 92121

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 571-272-3350. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, MAIL STOP: ASSIGNMENT SERVICES BRANCH, P.O. BOX 1450, ALEXANDRIA, VA 22313.

RECORDATION DATE: 12/20/2005 REEL/FRAME: 017363/0697  
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
ONICHTCHOUK, DARIA DOC DATE: 10/25/2005

ASSIGNOR:  
NGUYEN, TRI DOC DATE: 10/25/2005

ASSIGNEE:  
DEVELOPGEN AKTIENGESELLSCHAFT  
RUDOLF-WISSELL-STRE. 28  
GOETTINGEN, GERMANY 37079

SERIAL NUMBER: 10551176 FILING DATE:  
PATENT NUMBER:  
ISSUE DATE:  
TITLE: USE OF DG931 PROTEIN FORTREATING DIABETES OBESITY AND METABOLIC  
SYNDROME



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY.DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/551,176	12/20/2005	1615	1530	-8054-005-US B138-005-US	5	32	9

CONFIRMATION NO. 1822

32301  
 CATALYST LAW GROUP, APC  
 9710 SCRANTON ROAD, SUITE S-170  
 SAN DIEGO, CA 92121

## FILING RECEIPT



\*OC000000019985222\*

Date Mailed: 08/16/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s) Daria

-Daria-Onichtchouk, Gottingen, GERMANY;  
 Tri Nguyen, Gottingen, DE;

**Power of Attorney:** The patent practitioners associated with Customer Number 32301.

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/EP04/03417 03/31/2004

## Foreign Applications

EUROPEAN PATENT OFFICE (EPO) 03007274.8 03/31/2003

If Required, Foreign Filing License Granted: 08/10/2006

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/551,176**

**Projected Publication Date:** 11/16/2006

**Non-Publication Request:** No

**Early Publication Request:** No

**\*\* SMALL ENTITY \*\***

